10-21-05

IFW

PATENT
Customer No. 22,852
Attorney Docket No. 08702.0110-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
KIM et al.	Group Art Unit: 1651
Application No.: 10/525,441	Examiner: Not yet assigned
Filed: November 17, 2004	Confirmation No. Not yet assigned
For: INJECTABLE SOLID HYALURONIC ACID CARRIERS FOR DELIVERY OF OSTEOGENIC PROTEINS	

CERTIFICATE UNDER 37 CFR § 1.10
OF MAILING BY "EXPRESS MAIL"

EV 578322568 US;
EV 684956580 US;
EV 684956593 US
and EV 684956602 US — October 20, 2005
USPS Express Mail Label Numbers — Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Moya Kinnealey
Moya Kinnealey

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

The following is a concise statement of relevance of the non-English language documents.

1. JP5277174 discloses methods for producing calcium phosphate and gelation bioimplantation materals.

2. JP51-0233901A discloses bioimplantable compositions comprising calcium phosphates, carboxymethyl ketene, collagen, and gelatin.

Applicants include these references because they were cited in other BMP applications assigned to Wyeth, Applicants' assignee. Applicants have not considered or characterized these references, but are simply submitting them for the Examiner's consideration.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicants will continue to submit all documents that are material to patentability as they become aware of them.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: 10/20/05

By: Elizabeth Mathiesen
Elizabeth E. Mathiesen
Reg. No. 54,696

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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First Named Inventor	Kim
Art Unit	1651
Examiner Name	Not yet assigned
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		4,294,753	13 Oct 1981	Urist	
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		4,399,216	16 Aug 1983	Axel et al.	
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		4,434,094	28 Feb 1984	Seyedin et al.	
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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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		EP 0 052 510	26 May 1982			
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IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				*Application Number*	10/525,441
				Filing Date	November 17, 2004
				First Named Inventor	Kim
				Art Unit	1651
(Use as many sheets as necessary)				*Examiner Name*	Not yet assigned
Sheet	18	of	18	*Attorney Docket Number*	08702.0110-00000

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Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.